

appointment of counsel, whether there is a need to further investigate and present the facts related to the plaintiff's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

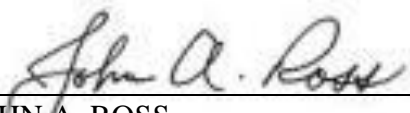
At this point in the litigation and in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel. In addition, the pleadings filed by Larry L. Carter indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. At this time, Plaintiff's Motion for Appointment of Counsel will therefore be denied. If the Court later finds that Plaintiff does not have access to a law library or is otherwise unable to litigate his case, the Court may reconsider this Order.

Accordingly,

IT IS HEREBY ORDERED that Defendants are granted until **Friday, February 14, 2014**, within which to respond to Plaintiff's Motion [24]. Failure to do so will result in the Court ruling on Plaintiff's unopposed Motion.

IT IS FURTHER ORDERED that Plaintiff's Motion to for Appointment of Counsel [28] and [30] are **DENIED**.

Dated this 3rd day of February, 2014.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE